

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Criminal No. 95-cr-77-JD

Troy Woodruff

O R D E R

Troy Woodruff, who is also known as Troy Arnold, entered a guilty plea on November 18, 1996, pursuant to a plea agreement, to one charge of distributing cocaine base.¹ On February 14, 1997, he was sentenced to eight months in prison. Woodruff filed a petition for a writ of coram nobis on December 10, 2012, which was denied on December 17, 2012. He filed a motion for default judgment on January 2, 2013, and on January 10, he filed a motion for reconsideration of the order denying his motion for a writ of coram nobis.

A. Motion for Default Judgment

Because the court has denied Woodruff's petition for a writ of coram nobis, his motion for default judgment is moot.

¹During this case, the defendant was known as Troy Woodruff. He has filed recent motions in this case as Troy Woodruff. In late December, however, the defendant wrote to the Clerk of Court to explain that all mail must be addressed to Troy Arnold (Woodruff). He signed the letter as Troy Arnold.

B. Motion for Reconsideration

A motion for reconsideration faces a high hurdle to succeed. Latin Am. Music Co. v. ASCAP, 642 F.3d 87, 91 (1st Cir. 2011). Under Rule 59(e), the moving party must show "an intervening change in the controlling law, a clear legal error, or newly-discovered evidence." Soto-Padro v. Pub. Bldgs. Auth., 675 F.3d 1, 9 (1st Cir. 2012). New arguments that could and should have been made before judgment issued do not provide a basis for reconsideration. Feliciano-Hernandez v. Pereira-Castillo, 663 F.3d 527, 537 (1st Cir. 2011). In addition, a party cannot use a motion for reconsideration to raise the same arguments that were rejected previously. Soto-Padro, 675 F.3d at 9.

In support of his motion for reconsideration, Woodruff makes the same arguments that he offered in his motion for a writ of coram nobis. Therefore, he has not met the standard necessary for reconsideration of the order.

Conclusion

For the foregoing reasons, the defendant's motion for a default judgment (document no. 41) and his motion for reconsideration (document no. 42) are denied.

SO ORDERED.



Joseph A. DiClerico, Jr.
United States District Judge

January 29, 2013

cc: Troy Arnold (Woodruff)
United States Attorney's Office